

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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STEVEN BERNSTEIN,

Plaintiff,

-against-

19 **CIVIL** 11816 (LJL)

JUDGMENT

NEW YORK CITY DEPARTMENT OF
EDUCATION, et al.,

Defendants.

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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Opinion and Order dated September 27, 2021, Defendants' motion to dismiss the ADEA claim and the NYSHRL and NYCHRL claims is GRANTED and those claims are dismissed with prejudice. The state law claims against Mercedes are dismissed without prejudice based on the Court's decision not to exercise supplemental jurisdiction. To the extent that the amended complaint could be deemed to allege a claim for retaliation, that claim is not defended in Plaintiff's opposition papers and is deemed abandoned.

Dated: New York, New York

September 27, 2021

RUBY J. KRAJICK

BY:

Clerk of Court

K. mango

Deputy Clerk